IN THE UNITED STATES DISTRICT COURT FILED BY D.C. FOR THE WESTERN DISTRICT OF TENNESSEE WESTERN DIVISION 05 AUG 24 PM 12: 36

ORDER DENYING IRREGULAR MOTION

On April 5, 2005, plaintiff filed a motion seeking leave to commence discovery. Leave of court is not required to conduct discovery, and the defendants' subsequent motion for an enlargement of time, which was filed on June 13, 2005, makes clear that the plaintiff has served the defendants with discovery requests. Accordingly, the plaintiff's motion is DENIED as moot.

IT IS SO ORDERED this <u>24</u> day of August, 2005.

BERNICE B. DONALD

UNITED STATES DISTRICT JUDGE

This document entered on the docket sheet with Rule 58 and/or 79(a) FRCP on



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Asad El-Amin Mujihadeen WTSP-Henning 86217 P.O. Box 1050 Henning, TN 38041

Pamela S. Lorch OFFICE OF THE ATTORNEY GENERAL P.O. Box 20207 Nashville, TN 37202--020

Kimberly J. Dean OFFICE OF THE ATTORNEY GENERAL P.O. Box 20207 Nashville, TN 37202--020

Honorable Bernice Donald US DISTRICT COURT